

REMARKS

[0001] The following paragraphs are numbered for ease of future reference. Claims 22-28 are all the claims presently pending in this application. Claim 22 has been amended to more particularly define the claimed invention. Applicant further respectfully submits that no new matter is added to the currently amended claims, nor has the scope of the pending claims changed. Applicant respectfully traverses the rejections based on the following discussion.

I. REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

[0002] Claim 22 is rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description/enablement/best mode requirement. More specifically, claim 22 has been changed recite “a CCXML/Voice XML application server,” to overcome the rejection. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

II. REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

[0003] Claim 22 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 22 has been amended in a manner believed fully responsive to all points raised by the Examiner. More specifically, claim 22 has been changed to recite, “one of a Call Control Extensible Markup Language[[/]] and a Voice Extensible Markup Language (CCXML/Voice XML),” to thereby defining the “/” in the alternative in the expression, “CCXML/Voice XML.” In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. THE PRIOR ART REJECTION

The 35 U.S.C. § 103(a) Rejection over Crockett further in view of Guigui and Middleswarth

[0004] Claims 22-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Crockett, U.S. Pat. App. Pub. No. 2004/0141596, (hereinafter “Crockett”), further in view of Guigui, U.S. Pat. App. Pub. No. 2004/0186901 further in view of Middleswarth et al., U.S. Pat. No. 6,697,461, (hereinafter “Guigui and Middleswarth”).

[0005] The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Crockett with the teaching from Guigui and Middleswarth to form the invention of claims 22-28. Applicant submits, however that these references would not have been combined and even if combined, the combination would not teach or suggest each element of the claimed invention.

[0006] Applicant traverses the Examiner’s rejection since, among other reasons, Guigui discloses a SCP proxy provided with an XML converter able to effect conversion between MAP/TCAP protocols and XML data formats, while Applicant’s claimed invention is directed toward converting a request for voice instructions to said call control protocol, and *visé versa*, using call control protocol to CCXML/Voice XML converter.

[0007] However, the cited prior art to Crockett, Guigui and Middleswarth specifically fail to teach or suggest Applicant’s invention of, “*converting said request for voice instructions to said call control protocol using said converter,*” and “*converting said voice instructions from said call control protocol to said CCXML/Voice XML,*” per independent claim 22.

[0008] Crockett discloses a call initially connected to a voice markup language platform in response to preliminary routing instructions from a service control point, where data relating to

the telephony service is retrieved and at least one caller query is formulated based on the retrieved data. The caller query is verbally provided to the calling party, and additional data is then received through voice communication from the calling party, including a response to the caller query. The call is then routed in accordance with the additional data provided by the caller.

[0009] The Examiner admits that “Crockett fails to teach forwarding a request for voice instructions from said CCXML/Voice XML browser to a call control protocol to CCXML/Voice XML converter; converting said request for voice instructions to said call control protocol using said converter; forwarding said request for voice instructions from said converter to said control point; returning voice instructions from said control point to said converter; converting said voice instructions from said call control protocol to said CCXML/Voice XML; and, returning voice instructions from said converter to said CCXML/Voice XML browser.”

[0010] The Examiner alleges the Guigui discloses “a system connected to a service control point comprising a converter (proxy server : [0036]) for the purpose of communicating with the service control point using a call control protocol and converting said call control protocol to an extensible markup language, XML utilized by the system ([0038] [0039] [0040]).”

[0011] However, nowhere does Guigui teach or suggest, nor does the Examiner specifically address Applicant’s claim recitation “*converting said request for voice instructions to said call control protocol using said converter,*” and “*converting said voice instructions from said call control protocol to said CCXML/Voice XML.*” Guigui merely discloses a SCP proxy provided with an XML converter able to convert between MAP/TCAP and XML data formats, and XML/INAP (Intelligent Network Application Part) protocol conversion. Nowhere does Guigui disclose converting voice instructions between a call control protocol and CCXML/Voice XML.

[0012] Furthermore, the Examiner alleges that Middleswarth discloses “an intelligent peripheral

comprising circuitry for the purpose of converting between protocols used on communication lines to and from the service control point and the various components within the intelligent peripheral for the purpose of presenting and processing voice (column 5 lines 22 - 25; column 6 lines 7 - 21).”

[0013] However, nowhere does Middleswarth teach or suggest, nor does the Examiner specifically address Applicant’s claim recitation “*converting said request for voice instructions to said call control protocol using said converter,*” and “*converting said voice instructions from said call control protocol to said CCXML/Voice XML.*” Middleswarth merely discloses that an intelligent peripheral (IP) 104 includes a DTMF 10 detector/generator circuit 202, a text to speech (TTS) circuit 204, a speech recognizer 206, audio recording and playback circuitry 208, a central processing unit CPU 212, memory 213 and switching and I/O circuitry 224 which are coupled together by a bus 210. Nowhere is there any disclosure of converting voice instructions between a call control protocol and CCXML/Voice XML. Therefore, Guigui and Middleswarth fail to overcome the deficiencies of Crockett as admitted by the Examiner.

[0014] In summary, Guigui discloses a SCP proxy provided with an XML converter able to effect conversion between MAP/TCAP protocols and XML data formats, and Middleswarth discloses an intelligent peripheral, while Applicant’s claimed invention is directed toward converting a request for voice instructions to said call control protocol, and *visa versa*, using call control protocol to CCXML/Voice XML converter.

[0015] Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Crockett and Guigui and Middleswarth (either alone or in combination) fail to teach or suggest each element and feature of Applicant’s claimed invention.

IV. FORMAL MATTERS AND CONCLUSION

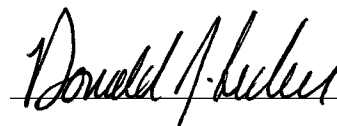
[0016] In view of the foregoing, Applicant submits that claims 22-28, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

[0017] Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic interview.

[0018] The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0469.

Date: March 10, 2009

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Donald J. Lecher", written over a horizontal line.

Donald J. Lecher, Esq.
Registration No. 41,933

GIBB IP LAW FIRM, LLC
2568-A Riva Road, Suite 304
Annapolis, Maryland 21401
Voice: 410-573-6501
Fax: 301-261-8825
E-mail: Lecher@gibbiplaw.com
Customer No. 29154